

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on May 4, 2010.

Mayor Pro-tem Gover presided and called the meeting to order at 6:30 p.m.

Mayor Pro-tem Gover led the Pledge of Allegiance.

City Clerk O'Brien administered the Oath of Office to Acting Mayor Tim Gover.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Acting Mayor Tim Gover, Absent Commissioner Rick Hall, YEA Commissioner Chris Rankin.

Also physically present were City personnel: City Administrator Sue McLaughlin, Attorney & Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, Public Works Director David Wortman, Fire Chief Tony Nichols, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

Commissioner Ervin seconded by Commissioner Rankin moved to approve the consent agenda consisting of minutes of the regular meeting April 20, 2010 and special meeting April 28, 2010; fire and police pension reports for the month of March, 2010; bills and payroll for the last half of April, 2010 and HOME Rehab expenditures.

**Bills and Payroll for the last of April, 2010**

**General Fund**

Payroll		\$ 270,081.06
Bills		<u>\$ 426,891.62</u>
	Total	\$ 696,972.68

**Hotel Tax Fund**

Payroll		\$ 1,666.65
Bills		<u>\$ 8,023.12</u>
	Total	\$ 9,689.77

**Festival Management**

Bills		<u>\$ 11,683.74</u>
	Total	\$ 11,683.74

**Midtown TIF Fund**

Bills		<u>\$ 95,000.00</u>
	Total	\$ 95,000.00

**Capital Project Fund**

Bills		<u>\$ 41,229.12</u>
	Total	\$ 41,229.12

**South Rte 45 Business**

Bills		<u>\$ 37,500.00</u>
	Total	\$ 37,500.00

**Broadway East Business**

Bills		<u>\$ 295,000.00</u>
	Total	\$ 295,000.00

**Water Fund**

Payroll		\$ 31,221.05
Bills		<u>\$ 137,794.78</u>
	Total	\$ 169,015.83

**Sewer Fund**

Payroll		\$ 30,937.38
Bills		<u>\$ 199,840.85</u>
	Total	\$ 230,778.23

**Cemetery Fund**

Payroll		\$ 3,897.65
Bills		<u>\$ 1,416.42</u>
	Total	\$ 5,314.07

**Motor Fuel Tax Fund**

Bills		<u>\$ 818.40</u>
	Total	\$ 818.40

**Health Insurance**

Bills		<u>\$ 148,259.83</u>
	Total	\$ 148,259.83

Acting Mayor Gover explained the new council room setup and requested communications from the Department Heads:

Chief Branson – nothing at this time

Chief Nichols – nothing at this time

David Wortman – announced two projects (1. TIF Project – island at 21<sup>st</sup> & Western Avenue, 2. Completion of a dedicated storm sewer located at 26<sup>th</sup> & 27<sup>th</sup> Street & Charleston)

Coordinator Gill – announced nuisance summer season with many notices processed.

Acting Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover opened the floor for comments with no responders. Chief Branson presented former Police Chief David Griffith a plaque recognizing his retirement and more than 30 years of service with the City. Commissioner Ervin presented Public Works Maintenance Worker Jud McKenzie a plaque recognizing his retirement and more than 22 years of service with the City. Although two retirees could not attend the meeting. Acting Mayor Gover recognized the retirement of Police Department Administrative Assistant Shelia Burrell and Waste Water Treatment Plant Operator Bob James for their years of service with the City.

Acting Mayor Gover opened the floor for public comments, presentations and non-agenda items with no responders.

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Ordinance 2010-5301, amending Section 34.55 “Municipal Ambulance; Emergency Rescue Service Charges” of the municipal code to provide Advanced Life Support (ALS) Services.

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**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2010-5301**

AN ORDINANCE TO AMEND 34.55 “MUNICIPAL AMBULANCE; EMERGENCY RESCUE SERVICE CHARGES”

**WHEREAS**, the City of Mattoon desires to update its level of care for the ambulance from BLS to ALS.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** The following article of the City of Mattoon municipal code is amended as follows:

**§ 34.55 MUNICIPAL AMBULANCE SERVICE; EMERGENCY RESCUE SERVICE CHARGES.**

- (A) The management and administration of ambulance services is hereby assigned to the Fire Department.
- (B) The Fire Department, through appropriately trained personnel, is hereby authorized to operate and maintain an emergency vehicle for Emergency ~~Basic~~ Advanced Life Support Rescue Transport Services.
- (C) The Fire Department shall provide Emergency ~~Basic~~ Advanced Life Support Ambulance Rescue Services.
- (D) For Emergency ~~Basic~~ Advanced Life Support Rescue Transport Services, which consists of transport from the scene of an incident to Sarah Bush Lincoln Health Center Emergency Room, the following charges shall be paid by persons benefitting from those services. These charges shall be assessed at rates specified in Section 35.01(D) (2).
- (E) The Fire Department, with the advice and consent of the City Treasurer, shall establish billing practices and procedures; develop appropriate internal forms for the administration of the billing system; maintain a system of accounts receivable; render statements for services provided; and, administer the collection of unpaid accounts.
- (F) It is the intention of the City Council that all of the services provided under the authority of this section be deemed "rescue" services as provided in ILCS Ch. 745, Act 10, § 5-101, which states: "Neither a local public entity nor a public employee is liable for failure to establish a fire department or otherwise to provide fire protection, rescue or other emergency service."

Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 4. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 4th day of May, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Rankin,  
Acting Mayor Gover  
NAYS (Names): None  
ABSENT (Names): Commissioner Hall

Approved this 4th day of May, 2010.

/s/ Tim Gover  
Tim Gover, Acting Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 5, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Rankin moved to adopt Ordinance 2010-5302, amending Chapter 75 of the municipal code to provide additional parking restrictions on several streets.

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**CITY OF MATTOON, ILLINOIS  
ORDINANCE NO. 2010-5302**

**AN ORDINANCE PROHIBITING PARKING ON SEVERAL STREETS**

**WHEREAS**, the City of Mattoon has received requests to designate several streets as “No Parking;” areas and,

**WHEREAS**, the City staff have reviewed those requests and believe there are valid reasons to act on them; and,

**WHEREAS**, the Public Works Advisory Board has also reviewed the requests and unanimously recommended enacting them; and,

**WHEREAS**, the City Council believes there are benefits to the citizens of Mattoon to enact the parking restrictions.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Mattoon, Coles County, Illinois as follows:

**Section 1.** Schedule I of Chapter 75 of the City of Mattoon Code of Ordinances is hereby amended by the addition of the following parking restrictions:

<b><u>No Parking</u></b>				
<b><i>STREET</i></b>	<b><i>DESCRIPTION</i></b>	<b><i>SIDE</i></b>	<b><i>ORD. NO.</i></b>	<b><i>DATE</i></b>
Shelby Avenue	Logan Street to 10 <sup>th</sup> Street	South	2010-5302	05/04/10
Prairie Avenue	1 <sup>st</sup> Street to 2 <sup>nd</sup> Street	North	2010-5302	05/04/10
Miller Drive	Route 16 to terminus	Both	2010-5302	05/04/10
Hurst Drive	Miller Drive to Lerna Road	Both	2010-5302	05/04/10
Thomason Road	Miller Drive to Lerna Road	Both	2010-5302	05/04/10

**Section 2.** Schedule III of Chapter 75 of the City of Mattoon Code of Ordinances is hereby amended by the addition of the following parking restriction:

<b><u>No Parking</u></b>				
<b><i>STREET</i></b>	<b><i>DESCRIPTION</i></b>	<b><i>HOURS PROHIBITED</i></b>	<b><i>ORD. NO.</i></b>	<b><i>DATE</i></b>
South 9 <sup>th</sup> Street	Both sides of street adjacent to Mattoon Middle School	7 a.m. and 4 p.m. on School Days	2010-5302	05/04/10

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Ervin, seconded by Commissioner Rankin, adopted this 4<sup>th</sup> day of May, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Rankin,

Acting Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Hall

Approved this 4<sup>th</sup> day of May, 2010.

/s/ Tim Gover  
Tim Gover, Acting Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 5, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1079, authorizing the promotion of Jason Taylor to rank of Deputy Chief effective April 28, 2010.

Acting Mayor Gover opened the floor for discussion. Council noted the promotion as a good choice.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1080, authorizing the promotion of David Vanderport to rank of Sergeant effective April 1, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1081, ratifying the Mayor's re-appointment of Randall Ross as Trustee to the Policemen's Pension Board with a term date of May 1, 2012.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1082, approving a \$540.00 grant by the Tourism Advisory Committee from hotel/motel tax funds to Mattoon Fury Soccer for hosting the Mattoon Fury Soccer Tournament on April 23-25, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1083, approving a \$3,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the IHSA Girls & Boys State Track Meets on May 20-22, 2010 and May 27-29, 2010 at Eastern Illinois University.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1084, approving a \$2,000 grant by the Tourism Advisory Committee from hotel/motel tax funds to the Mattoon YMCA Triathlon on October 2, 2010.

Acting Mayor Gover opened the floor for discussion. Mr. Herb Meeker requested Council comment on the events generating more revenue than the grants issued and filling hotel rooms. Council acknowledged the benefits to the City and proprietors.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1085, approving the promotion of Robert LeCrone to Water Treatment Plant Lead Operator, effective June 1, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1086, approving the promotion of Michael Nichols to Waste Water Treatment Plant Lead Operator, effective June 1, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1087, approving the trial promotion of Brandon Burkybile to Public Works Assistant Superintendent, effective May 17, 2010.

Acting Mayor Gover opened the floor for discussion. Director Wortman announced the hiring of a summer intern from Lake Land College with half pay reimbursement through the Cooperative Work Study Program.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover recognized Deputy Chief Taylor and Sergeant Vanderport and congratulated the others promoted. Acting Mayor Gover requested comments from the Council with accolades for the promotions and retirements. Administrator McLaughlin also congratulated Deputy Chief Taylor and Sergeant Vanderport. Attorney & Treasurer Owen had nothing more to add at this time. Clerk O'Brien had nothing more to add at this time.

Acting Mayor Gover seconded by Commissioner Ervin moved to recess to closed session at 6:51 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)).

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Council reconvened at 7:31 p.m.

Acting Mayor Gover seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1388, ratifying the employment agreements of Jeffrey M. Branson, Angelia D. Burgett, Tim Daily, Kyle Gill, Jason Taylor, Brian P. Johanpeter, Dave Basham, Susan O'Brien, J. Preston Owen, Glen Sloan, Kurt Stretch, and David Wortman for managerial positions.

**AN ORDINANCE RATIFYING THE EMPLOYMENT AGREEMENTS OF  
JEFFREY M. BRANSON, ANGELIA D. BURGETT, TIM DAILY, KYLE GILL, JASON TAYLOR, BRIAN P.  
JOHANPETER, DAVE BASHAM, SUSAN O'BRIEN, J. PRESTON OWEN, GLEN SLOAN, KURT STRETCH, AND  
DAVID WORTMAN FOR MANAGERIAL POSITIONS**

**BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** The City Council hereby approves an Employment Agreements with:

Jeffrey M. Branson for the position of Police Chief; and  
Angelia Burgett for the position of Tourism Director, and  
Tim Daily for the position of Public Works Superintendent, and  
Kyle Gill for the position of Community Development Coordinator, and  
Brian Johanpeter for the position of Information Technology Director, and  
Dave Basham for the position of Water Treatment Plant Superintendent, and  
Susan O'Brien for the position of City Clerk, and  
J. Preston Owen for the position of City Attorney & Treasurer, and  
Glen Sloan for the position of Waste Water Treatment Plant Superintendent, and  
Kurt Stretch for the position of Parks Superintendent, and  
David Wortman for the position of Public Works Director,

a copy of which is attached hereto and incorporated herein by reference.

**Section 2.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 3.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Acting Mayor Gover, seconded by Commissioner Ervin, adopted this 4<sup>th</sup> day of May, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Rankin,  
Acting Mayor Gover

NAYS (Names): None

ABSENT (Names): Commissioner Hall

Approved this 4<sup>th</sup> day of May, 2010.

/s/ Tim Gover  
Tim Gover, Acting Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on May 5, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Commissioner Rankin seconded by Commissioner Ervin moved to amend those contracts by striking language on vehicle insurance. Administrator McLaughlin elaborated the language of "... You will provide evidence of continuing insurance coverage for the private vehicle used for the business of the City in the limits of \$1 million per occurrence." to be struck from the contracts.

Acting Mayor Gover declared the motion to amend carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover declared the motion carried as amended by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover opened the floor for discussion with no responders.

Commissioner Rankin seconded by Commissioner Ervin moved to adjourned at 7:43 p.m.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, Absent Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

/s/ Susan J. O'Brien  
City Clerk